

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,  
*Plaintiff,*

v.

JOSEPH N. HANNA, et al.  
*Defendants.*

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CIVIL ACTION  
NO. 18-0977

**ORDER**

**AND NOW**, this 12<sup>th</sup> day of September, 2019, upon consideration of *Pro Se* Plaintiff Edward Thomas Kennedy's Motion to Amend Order (ECF No. 75), it is hereby **ORDERED** that said motion is **DENIED**.<sup>1</sup>

BY THE COURT:

/s/ C. Darnell Jones, II  
C. DARNELL JONES, II J.

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<sup>1</sup> As *pro se* Plaintiff Edward Thomas Kennedy did not cite a procedural rule under which the Court should consider his "Motion to Amend Order," the Court will construe it as a motion for reconsideration under Rule 59(e) or Rule 60 of the Federal Rules of Civil Procedure.

Rule 59(e) permits reconsideration when there is 1) an intervening change in controlling law, 2) newly available evidence, or 3) a need to correct an error of law or fact or to prevent manifest injustice. Generally, motions for reconsideration are highly disfavored by courts and are granted sparingly. *Eichelberger v. City of Phila.*, No. 17-5795, 2018 WL 3730691, at \*1 (E.D. Pa. Aug. 3, 2018). Rule 60(a) permits the Court to correct clerical mistakes or oversights that are in a judgment order or part of the record. Rule 60(b) permits a party to "seek relief from a final judgment, and request the reopening of his case, under a limited set of [delineated] circumstances . . ." *Atkinson v. Middlesex Cnty.*, 610 Fed. Appx. 109, 112 (3d Cir. 2015). Mere dissatisfaction with a court's ruling will not warrant reconsideration under Rules 59(e) or 60(b). *Jarzyna v. Home Props., L.P.*, 185 F. Supp. 3d 612, 622 (E.D. Pa. 2016).

Plaintiff appears to be seeking a certificate of appealability based on his reading of Rule 5 of the Federal Rules of Appellate Procedure. Mot. Am. at ¶ 4 (ECF No. 75). However, as such a certificate only issues in the habeas corpus context, which this is not, the Motion to Amend is denied in so far as it seeks relief under Rule 60(a). To the extent the Motion to Amend seeks to relitigate his original claims or relief from this Court's dismissal of his claims (*see* ECF No. 73) it is also denied. Plaintiff has failed to argue any entitlement to relief under either Rule 59(e) or 60(b) for the Court to consider.